

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 12-05523-RGK (MANx)	Date	December 6, 2012
Title	BAOL, S.R.O. et al v. RSVP VACATIONS, LLC and HOLLAND AMERICA LINE, N.V.		

Present: The Honorable	R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE
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Sharon L. Williams (Not
Present)

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order re Dismissal for Lack of Subject Matter
Jurisdiction**

Plaintiffs, all of whom are citizens of a foreign state, have sued Holland America, a Dutch company, and RSVP, LLC, a California limited liability company. Plaintiffs allege breach of contract and tort claims arising out of a Mediterranean cruise.

It is well-established that there is no diversity jurisdiction where there are foreign entities on both sides of an action, without presence of citizens of a state on both sides. *See Verlinden B.V. v. Central Bank of Nigeria*, 461 U.S. 480-491-492 (1983); *Nike, Inc. v. Comercial Iberica de Exclusivas Deportivas, S.A.*, 20 F.3d 987, 991 (9th Cir. 1994).

Even assuming that the members of RSVP, LLC are citizens of a state, there is no diversity jurisdiction, as the plaintiff group consists only of citizens of foreign states. Nor is there federal question jurisdiction, as Plaintiffs have alleged no federal claims. Based on the foregoing, the Court finds no subject matter jurisdiction and dismisses the action in its entirety.

IT IS SO ORDERED.

_____: _____
Initials of Preparer

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